

**SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423**

## **ENVIRONMENTAL ASSESSMENT**

**STB Docket NO. AB-33 (Sub-No. 186X)**

**Union Pacific Railroad Company--Abandonment Exemption--  
in Martin County, MN**

### **BACKGROUND**

In the above entitled proceeding, Union Pacific Railroad Company (UP) has filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment of a 1.83-mile rail line over the Trimont Industrial Lead from milepost 140.57 to milepost 142.4 near Trimont, in Martin County, MN. A map depicting the rail line in relationship to the area served is appended to the report. If the exemption becomes effective, the railroad will be able to salvage track, ties and other railroad appurtenances, and to dispose of the right-of-way.

### **DESCRIPTION OF THE LINE**

The line is constructed with 85-pound rail between the beginning of the Lead and milepost 142.0, then 70-pound rail from milepost 142.0 to the end of the main track at milepost 142.4. The line is generally 100 feet in width and is mostly rural agricultural with a small end segment in Trimont. The topography varies from level to hilly. In its application UP states that there has been no traffic on the line during the past two years.

### **ENVIRONMENTAL REVIEW**

UP submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any post abandonment activities, including salvage and disposition of the right-of-way. UP served the environmental and historical reports on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's environmental rules [49 CFR 1105.7(b)]. Also we have consulted with appropriate agencies and individuals to verify the railroad's report and to obtain additional information and comments regarding the potential environmental effects of the proposed abandonment. Contacts have included the Martin County Courthouse; Military Traffic Management Command Transportation Engineering Agency; Minnesota Board of Water & Soil Resources; Minnesota Department of Natural Resources; Minnesota Historical Society; Minnesota Planning; Minnesota Pollution Control Agency; National Park Service; National Geodetic Survey; Natural Resources Conservation Service; the U.S. Army Engineer Dist.-St. Paul; U.S. Department of Agriculture; U.S. Environmental Protection Agency, Region 5; and the U.S. Fish & Wildlife Service, Region 3.

## **CONDITIONS**

We recommend the following environmental condition be placed on any decision granting abandonment authority.

The Minnesota Pollution Control Agency (MPCA) has expressed concerns regarding the possible impacts the proposed abandonment may have on the right-of-way. MPCA specifically states that: (1) possible impacts to streams, river, lakes, and wetlands from erosion and storm water runoff should be avoided where possible or mitigated as much as possible to lessen any potential adverse impacts. Mulching, seeding, and sodding should be done to establish permanent ground cover and to stabilize soil disturbed by construction activities in the vicinity of surface water (lakes, streams, wetland, and drainage ways) and implemented without the use of fertilizers containing phosphorus; (2) the site erosion control plan should be designed by the U.S. Department of Agriculture Soil Conservation Service and/or the County Soil and Water Conservation District and be a separate bid item in the specifications for the project; (3) if there are any switching areas located in the project area, it is recommended that a thorough inspection of those areas for any possible oil spills should be conducted; and (4) provide information on where and how the railroad ties that are to be removed from the abandoned line would be used or disposed of. Therefore, in response to these concerns, we recommend that UP consult with the MPCA prior to salvage operations to address MPCA's concerns.

The Department of the Army, St. Paul District, Corps of Engineers (Corps) has requested additional information from UP concerning the proposed abandonment. The Corps requests that if the project involves work in wetlands, UP provide the Corps with a map and construction/grading plans that show the project location, and details and limits of the proposed work. The Corps also states that the temporary placement of fill material into a waterbody/wetland for purposes such as temporary stream crossings, bypass roads, cofferdam construction, or storage sites may require a permit from the Corps. Therefore, we recommend that UP consult with the Corps, St. Paul District, prior to abandonment and salvage of the right-of-way to determine if the proposed project is consistent with applicable Federal, state and local water quality standards, and if permits are required under section 404 of the Clean Water Act.

## **CONCLUSIONS**

Based on the information provided from all sources to date, we conclude that, as currently proposed, abandonment of the line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and, therefore no change in operations), discontinuance of service without abandonment, and continued operation by another operator. In this case, the existing quality of the human environment and energy consumption should not be affected.

## **PUBLIC USE**

If abandonment and salvage of the rail line does not take place, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

## **TRAILS USE**

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of the petition for exemption in the Federal Register. However, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

## **PUBLIC ASSISTANCE**

The Board's Office of Public Services responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact the Office of Public Services directly at (202) 565-1592, or mail inquiries to Surface Transportation Board, 1925 K St., N.W., Office of Public Services, Washington, DC 20423.

## **ENVIRONMENTAL COMMENTS**

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Surface Transportation Board, Vernon A. Williams, Office of the Secretary, 1925 K. St., N.W., Washington, DC 20423, to the attention of Ann Newman, who prepared this environmental assessment. **Please refer to Docket No. AB-33 (Sub-No. 186X) in all correspondence addressed to the Board.** If you have questions regarding this environmental assessment, you should contact Ann Newman at (202) 565-1629, fax at (202) 565-9002, or e-mail at Ann.Newman@STB.dot.gov.

Recent events involving a principal postal facility within Washington, DC., may affect for a period of time the receipt of materials mailed to the Board, as well as customer receipt of reply mail sent from the Board. Until the timely delivery of mail has been reestablished, the Section of Environmental Analysis (SEA) requests that individuals filing comments regarding this or other environmental assessments take the following additional steps to ensure receipt of their correspondence during the comment period:

1. Telephone or e-mail the environmental contact indicated above prior to the close of the comment period and inform them that you have mailed a comment.
2. If the comment has not been received, the environmental contact will discuss alternative modes of delivery.

3. Retain a copy of your comment for your records should alternative modes of delivery need be necessary.

SEA is committed to carrying out its duties to the public and regrets any inconvenience these new procedures may cause.

Date made available to the public: March 8, 2002.

**Comment due date: March 25, 2002.**

By the Surface Transportation Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams  
Secretary

Attachment

MAP TO BE SCANNED